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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 221422002

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MAY 28 2002
PATENT

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Applicant: Siu Man L. Cowan, et.al.	Group Art Unit: 1619
Serial No. 10/020,798	Examiner: Unknown
Filed November 30, 2001	
For: Stable, Aerosolizable Suspensions of Protein in Ethanol	

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

Information Disclosure Statement
Filed Pursuant to 37 CFR §1.97(b)(3)

As part of Applicants on-going duty of candor and good faith and disclosure set forth in 37 CFR§1.56(a), Applicants hereby submit the following documents:

1. Form PTO/SB/08A – Information Disclosure Statement by Applicants;
2. A copy of each reference listed on Form PTO/SB/08A;
3. Form PTO/SB/17 Fee Transmittal;
4. Authorization to charge fee due to credit card.

Respectfully submitted,

Dated: May 20, 2002

By: Patricia A. Coburn
Patricia A. Coburn

Registration No. 28,594
Attorney of Record

BattellePharma, Inc.
1801 Watermark Drive, Suite 100
Columbus, OH 43215

614/340-2358 Office
614/340-2320 Fax

Certificate Under 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner of Patents, Washington D.C. 20231 on 5-20, 2002.

By: Pamela Foose
Pamela Foose

Please type a plus sign (+) inside this box → +

PTO/SB/08A (10-96)
Approved for use through 10/31/99. OMB 6651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Compleat if Known

Application Number	10/020,798
Filing Date	November 30, 2001
First Named Inventor	Siu Man L. Cowan
Group Art Unit	1619
Examiner Name	Unknown
Attorney Docket Number	22112(2)

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U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
AW	A1	4,659,012		Coffee	04/21/1987	
	A2	4,829,996		Noakes	05/16/1989	
	A3	5,578,567		Cardinax	11/26/1996	
	A4	5,660,166		Lloyd	08/26/1997	
	A5	5,813,614		Coffee	09/29/1998	
	A6	5,873,523		Gomez	02/23/1999	
	A7	6,105,571		Coffee	08/22/2000	
	A8	6,105,877		Coffee	08/22/2000	
	A9	6,123,068		Lloyd	09/26/2000	
	A10	6,158,431		Poole	12/12/2000	
	A11	6,302,331		Dvorsky	10/16/2001	

FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Ts
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
AW	A12	EP	0-234-842		Noakes	09/02/1987		
	A13	WO	94/14543		Coffee	07/07/1994		
	A14	WO	95/26235		Coffee	10/05/1995		
	A15	WO	98/29097		Sanderson	07/09/1998		
	A16	WO	99/01463		Colaco	01/14/1999		
	A17	WO	99/07478		Pirrie	02/18/1999		
	A18	WO	99/33853		Blair	07/08/1999		
	A19	WO	99/42153		Barnes	08/26/1999		
	A20	WO	99/49981		Borra	10/07/1999		
	A21	WO	00/35524		Coffee	06/22/2000		

Examiner Signature	<i>Adam L. Meyer</i>	Date Considered	8/20/02
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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A circular black ink stamp from the Intellectual Property Office (IPO). The text "O I P E" is curved along the top inner edge, and "PATENT & TRADE MARK OFFICE" is curved along the bottom inner edge. In the center, the date "MAY. 24 2002" is stamped. To the right of the stamp, the text "Under the" is partially visible.

Complete if Known

Application Number	10/020,798
Filing Date	November 30, 2001
First Named Inventor	Siu Man L. Cowan
Group Art Unit	1619
Examiner Name	Unknown
Attorney Docket Number	22112 (2)

(use as many sheets as necessary)

Sheet	2	of	3
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[illegible][illegible]

Examiner
Signature

Allen Pryor

Date
Considered

8/20/02

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

3 of 3

Complet if Kn wn

Application Number	10/020,798
Filing Date	November 30, 2001
First Named Inventor	Siu Man L. Cowan
Group Art Unit	1619
Examiner Name	
Attorney Docket Number	22112(2)

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

[illegible]

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Examiner
Signature

Date _____
Considered _____

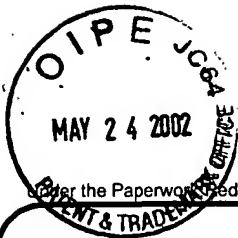
8/28/02

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MAY 28 2002 PTO/SB/21 (08-00)

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/020,798
Filing Date	11/30/2001
First Named Inventor	Siu Man Cowan
Group Art Unit	1619
Examiner Name	Unknown
Attorney Docket Number	22112 (2)

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
 - ☒ Fee Attached
- ☐ Amendment / Reply
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Patricia A. Coburn BattellePharma, Inc. 1801 Watermark Drive, Suite 100 Columbus, OH 43215
Signature	Patricia A. Coburn
Date	May 20, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 5-20-02

Typed or printed name	Pamela Foose		
Signature	Pamela Foose	Date	5-20-02

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number 10/020,798
Filing Date 11/30/2001
First Named Inventor Siu Man Cowan
Examiner Name Unknown
Group Art Unit 1619
Attorney Docket No. 22112 (2)

TOTAL AMOUNT OF PAYMENT

(\$)

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim, if not paid	
109 84	209 42	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	180.00
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

Name (Print/Type) Patricia A. Coburn
Signature *Patricia A. Coburn*

Registration No. 28594
(Attorney/Agent)

Complete (if applicable)

Telephone 614/340-2358
Date 05-20-2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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